

**Minutes of the 83rd meeting of
the Advisory Committee for Northern Ireland
held hybrid (in Landmark House and via Microsoft Teams)
on 1 March 2022**

Present

Carrie Matchett	ACNI Chair
John Ellison	ACNI Member
Angelina Fusco	ACNI Member
Alan Meban	ACNI Member
Michael Wilson	ACNI Member

In attendance

Bob Downes	Ofcom Board Member for Scotland and Northern Ireland (Acting)
Jonathan Rose	Director, Northern Ireland
James Stinson	Regulatory Affairs Manager, Northern Ireland
Judith Carville	Regulatory Affairs Manager, Northern Ireland
Rebecca Lennon	Regulatory Affairs Advisor, Northern Ireland
Bimpe Archer	Regulatory Affairs Associate, Northern Ireland
Other Ofcom colleagues Committee Observers	

Agenda items

Introduction

1. The Chair welcomed Members and attendees to the meeting, with particular welcome to Rebecca Lennon who returned from Maternity Leave and Bimpe Archer who recently joined Ofcom's NI team and was attending her first Advisory Committee meeting.
2. The Chair welcomed the two Committee Observers participating in the Next Generation NEDs Scheme.
3. Members were informed that Phil Flanagan had resigned from the Committee, having taken up a new job which created a conflict of interest. The Chair thanked Phil for his contribution during his three years on the Committee and wished him well in his new role.

Declaration of Members' Interests

4. Rick Hill declared that he had been appointed as an Independent Strategic Panel Member for MOSL, which is the market operator for non-domestic water in England.
5. Michael Wilson declared ongoing consultancy work for News UK.
6. The Chair reminded Members to complete their Annual Interest Return forms.

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Minutes of the meeting held on 7 December 2021 and matters arising – Minutes 82

7. The minutes of the 82nd meeting, held on 7 December 2021, were **APPROVED**.
8. An Ofcom colleague shared the Actions update, and noted all were complete with the exception of two updates:
 - The Public Policy Team to establish what engagement the Home Office taskforce on fraud has had with the devolved administrations.
 - An Ofcom colleague to confirm if NI postcodes were included in UK-wide postal performance research carried out during the early stages of the Covid pandemic.

Next Generation NEDs

9. The Chair and Committee gave a warm welcome to the two observers who will be attending the formal ACNI quarterly meetings for a year, and will also be invited to participate in subgroups meetings and discussions.
10. The observers introduced themselves and expressed their interest in learning about the Committee and its work. One observer is a Director at the Information Commissioners Office and the other is a Manager at Ofgem.
11. It was **NOTED** that Angelina Fusco and John Ellison would each mentor an observer and that an introductory meeting had taken place the previous week.

Interim Committee Business since last formal meeting

12. The Chair updated the Committee on the following interim business:
 - 19 January: A Member attended the Communications Consumer Hub NI roundtable.
 - 21 January: A Member attended Ofcom's Making Sense of Media event and provided a summary note.
 - 24 January: Subgroup meeting with Ofcom's project team on the Future Regulation of the BBC. It was **NOTED** that the Committee has contributed to this work on an ongoing basis.
 - 24 January: Members attended Ofcom's Plan of Work UK and NI stakeholder events online. The Committee **NOTED** it had subsequently submitted a response to the consultation.
 - 7 February: The Chair met with Ofcom's Director of Public Policy to discuss ACNI's plans for the upcoming year.
13. The Chair **NOTED** the following upcoming meetings:
 - Annual Contribution Meetings for members to be held before the end of March
 - Annual Planning meeting: The Committee **AGREED** to consider its priorities for the coming year and how the Committee could work most efficiently.
14. The Committee discussed the BBC's Annual Plan and the governance arrangements in place for Northern Ireland, and **NOTED** the continued absence of a BBC Board member and a functioning Northern Ireland Nations Committee.

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<p>15. Members expressed concern about the prominence of BBC’s Northern Ireland news content online, while appreciating the exceptionally busy news and current affairs agenda.</p> <p>16. Members NOTED this achievement of both UTV and BBC Spotlight being nominated for RTS awards.</p> <p>17. The Chair thanked Members for their contributions across the wide range of work progressed outside of the Committee’s formal meetings.</p>
Committee discussion on Agenda items and papers
<p>18. Members discussed the wide breadth of Public Policy developments and requested more regular updates in addition to the formal meeting papers.</p>
Ofcom Board and Content Board update
<p>19. The Board Member provided an overview of the Ofcom Board and Content Board’s work since the last Committee meeting.</p> <p>20. The Ofcom Board met BBC colleagues in December to discuss its future strategy and its approach to the Nations and Regions. In February the Board discussed Ofcom’s 3-year work plan.</p> <p>21. The Content Board has participated in several deep-dive learnings to develop its expertise in online safety matters, and continues to focus on a growing Broadcast Standards caseload.</p>
Public Policy update
<p>22. An Ofcom colleague gave an update on Ofcom's Public Policy work.</p> <p>23. Members NOTED recent incidents which provided an opportunity to examine network resilience and the impact on vulnerable customers. These included the storms which highlighted the power back-up challenge for VoIP customers; the Bilsdale TV transmitter outage; and the loss of Channel 4’s subtitling service.</p> <p>24. A member raised the provision and take-up of social tariffs in telecoms and the Committee asked for more information on help for consumers who don’t have social tariffs available to them and would face penalties for leaving contract their existing contract.</p>
Director’s Report
<p>25. An Ofcom colleague highlighted relevant developments in Northern Ireland since the last formal Committee meeting.</p> <p>26. The Committee NOTED the importance of continued consumer protections in UK legislation in relation to mobile roaming.</p> <p>27. The Committee NOTED the progress being made by DfE, DCMS and Ofcom to appoint a Northern Ireland member to the Ofcom Board.</p>

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28. The Committee **NOTED** ITV's schedule change to accommodate an extended early evening network news, and the opportunity that afforded to cover more NI stories on network news. The Committee were disappointed to note that ITV had not appointed a Northern Ireland correspondent to contribute to the extended ITV early evening news programme, unlike Wales and Scotland where new positions had been created.
29. Members discussed the provision of retail services over the Fibrus network and the impact on broadband pricing in rural areas where wholesale competition is limited.
30. A member raised the increased plurality of network news and current affairs through the likes of LBC and GB News, but their focus had tended to be focussed on England, at the expense of the devolved nations. The Committee **AGREED** to consider this point in their annual planning session.
31. The Committee was saddened by the death of Marilyn Hyndman, the founder of local TV channel, NVTV. The Committee reflected on the contribution she had made to the local TV sector.

Online Safety update

32. An Ofcom Colleague gave an update on the planned introduction of the Online Safety Bill, and relevant stakeholder engagement activity in Northern Ireland.
33. The Committee discussed the potential differences that could emerge between UK and Northern Ireland legislation in relation to online safety matters. They also discussed the challenge of enforcing the final online safety legislation, whether it is Ofcom or the Police, and the public expectations of the forthcoming legislation.
34. The Committee **NOTED** the challenge facing social media companies to moderate language and content that is Northern Ireland-specific, particularly in relation to sectarianism and hate crime.

Communications Consumer Panel update

35. The CCP Chair highlighted several points from the CCP report, particularly the Panel's ongoing work on VoIP migration. The CCP Chair has had a series of stakeholders on this matter and has written to the Chief Executive's of the leading telecoms companies to highlight the Panel's concerns over customer communications and the need for greater public awareness of the migration from PSTN to VoIP.
36. The Panel continues to be alert to issues concerning the Postal USO and the CCP Chair **NOTED** that the Panel is co-ordinating research efforts in this area with the NI Consumer Council . Members discussed the Consumer Council's advocacy role in post and **AGREED** to invite the Consumer Council to a future Committee meeting.
37. The CCP is currently understaking research in relation to online safety. The research will focus on personal data use including awareness of smart speaker data and facial recognition.

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C3/C5 relicensing update

38. Ofcom colleagues introduced the relicensing process and timeframe for Channel 3 and Channel 5 relicensing process. They noted that the opening stage was for Ofcom to report to the Secretary of State by June on the sustainability of the licenses and their contribution to PSB purposes over the next 10-year period.
39. Ofcom colleagues also explained how the relicensing process related to the wider review and update of the PSB framework which was expected to be outlined in a White Paper and subsequent legislation.
40. The Committee discussed the economic challenges facing PSBs. They **NOTED** the very high value of UTV's news and non-news programming content to the local audience, and **AGREED** to support the protection of this content in a future licence agreement.
41. The Committee **AGREED** to input thoughts on UTV's historic delivery and also consider what should be delivered by a future C3 licence for Northern Ireland as the relicensing process developed.

Climate Change

42. An Ofcom colleague updated on activities that indirectly address climate change. Work is ongoing to ensure networks and services are sustainable in the long term and Ofcom is making positive steps towards reducing its own footprint. While Ofcom does not have powers within environment regulation it is ensuring best practice and adding value within the scope of its existing duties.
43. An Ofcom colleague noted that the climate change work will also focus on emissions from sectors, including the energy efficiency of 4G/5G and streaming and broadcast services.
44. The Committee **NOTED** that Amazon was leading the way for sustainability in the parcel market through its electric vehicle fleet, and considered whether this could be replicated by Royal Mail.
45. Members were concerned that Northern Ireland businesses faced an extra cost of doing business in Great Britain as a result of air travel – for example independent producers having to travel to London to pitch for commissions.
46. Members were also concerned that network infrastructure resilience may have a negative effect on environmental issues.
47. Members **NOTED** it will be helpful to see where Ofcom and its sectors efforts are making most environmental difference and what lessons can be learned from full fibre rollout and emissions to provide services to NI.
48. The Committee **AGREED** to meet again with the project team in a year's time.

AOB and papers for noting

49. A Broadcasting subgroup was set up to provide input to broadcast relicensing and related work.

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- 50. Members **AGREED** that the hybrid meeting worked well and a chat function would be helpful for future meetings.
- 51. The Chair thanked the Committee Observers for attending.
- 52. The Chair reminded Members about the upcoming planning meeting.

Date of the Next Meeting

- 53. The next scheduled Committee meeting will be held on 21 June 2022.

Approved:



Chair

Date: 17.10.22